

## REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

## STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 7-14 are currently pending. Claims 7, 8, 11, and 13 are independent. Claims 7-14 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

## REMARKS

The examiner objected to the claims as lacking several formalities including a lack of antecedent basis and incorrect grammar. The claims have been amended to comply with the objections. The examiner rejected claims 7-14 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,699, 731 (Hara). The examiner asserts that every element of claims 7-14 is disclosed in Hara at column 7, line 50 through column 8, line 3; column 10, lines 14-18; and column 11, lines 14-42

The invention recited in claim 7 is directed to reading out the numeric information from the storage means which is provided on the ink container, and setting the inkless time on the basis of the numeric information. That is, the invention recited in claim 7 can set the inkless time directly by using the numeric information. Therefore, the invention recited in claim 7 can set a suitable inkless time even if a kind of ink, information regarding which has not been set in the ink supply system in advance, is employed. On the other hand, the invention of Hara detects the kind of ink by recognizing the ribs provided with the ink container and sets the inkless time corresponding to the kind of ink which has been set in advance. Therefore, the invention of Hara cannot set a suitable inkless time if a kind of ink, information regarding which has not been set in advance, is employed.

Further, Hara fails to teach or suggest the problem solved by the invention recited in claim 7, which is that if a kind of ink, information regarding which has not been set in advance, is employed, a suitable inkless time cannot be set.

Therefore, the invention of claim 7 is patentable over Hara. The invention of claim 11 is also patentable due to the above reason.

Examiner also asserts that Hara discloses the invention recited in claim 8. However, Hara does not disclose measuring the ceasing time from interruption of the action of the printing drum and resumption of the same and setting the inkless time on the basis of the parameter stored in the storage means corresponding to the ceasing time and the kind of ink in the ink container, as recited in claim 8.

Therefore, the invention of claim 8 is patentable over Hara. The invention of claim 13 is also patentable due to the above reason.

### CONCLUSION

Reconsideration and withdrawal of the rejections and objections of the application are respectfully requested in view of the amendments and remarks presented herein. In view of the foregoing, favorable consideration of the claim is earnestly solicited. If however, there is still an outstanding issue; the Examiner is invited to contact the undersigned for its prompt attention.

The Commissioner is authorized to charge any additional fee that may be required to  
Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMELAWRENCE & HAUG LLP

By:

  
Paul A. Levy  
Reg. No. 45,748